

**Minutes of a Regular Session of the Common Council of the Town of Clarkdale
Held on Tuesday, September 10, 2019**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, September 10, 2019, at 6:00 P.M. in the Clark Memorial Clubhouse, Men's Lounge, 19 N. Ninth Street, Clarkdale, Arizona.

CALL TO ORDER – Meeting was called to order at 6:00 P.M. by Mayor Von Gausig.

Town Council:

Mayor Doug Von Gausig
Vice Mayor Richard Dehnert
Councilmember Scott Buckley

Councilmember Bill Regner
Councilmember Debbie Hunseder

Town Staff:

Town Manager Tracie Hlavinka
Utilities/Public Works Director Maher Hazine
Sergeant Troy Smith
Town Clerk Mary Ellen Dunn

PUBLIC COMMENT – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

There was no public comment.

REPORTS

Current Events – A brief summary of current events. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary.

Mayor Von Gausig's Report –

- 08/21/19 – Attended Executive Committee meeting at Annual League Conference
 - Attended Nominating Committee meeting at League Conference
- 08/22/19 – Attended Award Luncheon at League Conference
 - Attended Resolutions Committee meeting at League Conference (resolutions included allowing mandatory public notices to be printed in publications within the county rather than largest circulation newspaper; allow local regulation of investor-owned short-term rentals; public safety military affairs and courts policy; transportation infrastructure and public works policy regarding enacting the Nogales Wastewater Fairness Act; support for appropriations for the Heritage Fund

- 08/24/19 – Participated in Verde Adventure Day at Tapco RAP
- 08/29/19 – Attended Bi-annual meeting of Mayors, Managers, Supervisors and Nation
 - Attended “Incentivizing Groundwater Offsets in the Verde Valley”
 - Attended Intergovernmental meeting
- 09/02/19 – Verde River Institute Kayaking
 - Met with Bill Snyder, Clarkdale resident
- 09/09/19 – Took Friends of the Verde River staff, Town Manager, Community Services Supervisor and Allen Haden from Natural Channel Designs on an educational kayak trip

Vice-Mayor Dehnert’s Report –

- 08/17/19 – Attended Concert in the Park
- 08/29/19 – Attended NACOG Regional Council Meeting
 - Attended Intergovernmental meeting
- 08/31/19 – Attended Concert in the Park

Councilmember Regner’s Report –

- 08/20 – 23/19 – Attended League Conference
 - Attended RTAC (Rural Transportation Advocacy Council meeting)
- 08/27/19 – Attended Achieve 60 AZ at Yavapai College
- 08/28, 29/19 and 09/04/19 – Participated in Boards and Commissions interviews
- 08/29/19 – Attended Intergovernmental meeting
- 08/31/19 – Attended Concert in the Park
- 09/04/19 – Attended Historical Society’s Strategic Planning session

Councilmember Buckley’s Report –

- 08/20-23/19 – Attended League Conference
- 08/27/19 – Attended Downtown Business Alliance meeting
- 08/28, 29/19 and 09/04/19 Participated in Boards and Commissions interviews
- 08/29/19 – Attended Intergovernmental meeting
- 09/05/19 – Met with Mayor and Public Works for river access takeout ramps
- 09/08/19 – Downtown Business Alliance – built 16 cornhole boards for tournament
- 09/09/19 – Served as a safety boater for the Verde River Institute educational trip

Councilmember Hunseder’s Report –

- 08/15/19 – Attended City Hall Selfie day (38th wedding anniversary also)
- 08/17/19 – Attended Concert in the Park
- 08/20 – 23/19 – Attended League Conference
- 08/24/19 – Helped set up Verde River Adventure Day
- 08/27/19 – Attended VVREO-LRSPC

- CDBA
- 08/29/19 – Attended Intergovernmental meeting
- 08/31/19 – Attended Concert in the Park
- 09/03/19 – Attended CDBA meeting
- 09/04/19 – Attended Historical Society Strategic Planning meeting
- 09/06/19 – Attended First Friday (In Their Own Words - Nancy Smith speaker regarding early mining communities)

Town Manager Hlavinka's Report –

- 08/16/19 – Attended Mountain Gate HOA meeting
- 08/24/19 – Attended Verde River Adventure Day
- 08/20 – 23/19 – Attended League Conference
- 08/27/19 – Attended VVREO-LRSPC meeting
 - Attended CDBA meeting
- 08/29/19 – Attended Mayors, Managers and Supervisors meeting;
 - Attended Incentives Workshop
 - Attended Intergovernmental meeting
- 08/30/19 - Met with Freeport representatives regarding UVSP
- 09/03/19 – Met with representative from Yavapai-Apache Nation regarding water settlement
- 09/05/19 – Went on Verde River Institute trip

Organizational Reports – Reports regarding regional organizations.

CAT – Cottonwood Area Transit (Councilmember Buckley)

- No report

VVTPO – Verde Valley Transportation Planning Organization. (Councilmember Regner)

- No report

NACOG - Northern Arizona Council of Governments. (Vice Mayor Dehnert)

- 08/29/19 Flagstaff meeting – no action items, just reports: Kevin Adams, Transportation Planning Advisory Committee reported that growth in state revenues has allowed for minimal transfers from HURF funds this year; Federal Highway Trust Fund is in good shape for next 18 months, possible upcoming available funds

VVREO-LRSPC – Verde Valley Regional Economic Organization's Long Range Strategic Planning Committee (Councilmember Hunseder)

- 08/27/19 – Presentation by Camille Cox, the task force coordinator for Verde Valley Town Hall Form and Donna Roberts from Verde Valley Land Preservation regarding the

upcoming forum on November 9th; Dr. James Perey from Yavapai College gave update on construction and renovation on Building L; presentation by Karen Osborn, Sedona Assistant City Manager, about short term rentals

TPAC – Transportation Policy Advisory Council. (Councilmember Regner)

- No report

NAMWUA - Northern Arizona Municipal Water Users Association. (Councilmember Buckley)

- No report

CONSENT AGENDA - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items are approved with one motion. Any items may be removed for discussion at the request of any Council Member.

- A. Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held August 13, 2019.
- B. Claims** - List of specific expenditures made by the Town during the previous month. August, 2019 check log and PPE dated August 3 and 17, 2019.
- C. Board and Commission Minutes** – Acknowledgement of receipt of minutes and draft minutes of the previous month's Board and Commission Meetings.
Design Review Board Notice of Cancellation of meeting August 7, 2019
Planning Commission minutes of the meeting held August 20, 2019
Parks and Recreation Commission Notice of Cancellation of meeting August 14, 2019.

Action: Approve Consent Agenda items A – C as presented.

Motion: Vice Mayor Dehnert

Second: Councilmember Hunseder

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

NEW BUSINESS

KIDS CONSERVE WATER GRANT PROPOSAL – Discussion and consideration of a request to continue funding the implementation of a water education curriculum for Kindergarten – 8th Grade students at the Clarkdale-Jerome School.

Erin Cody, Environmental Education Center Executive Director for the Verde Natural Resource Conservation District, has requested Town of Clarkdale continue to fund the implementation of a water conservation and stewardship education curriculum for Kindergarten -8th Grade students at Clarkdale-Jerome School.

Kids Conserve Water Grades K – 4 Program designed to address four Essential Questions each year:

- Where is water found on earth?
- How does water get into and out of houses?
- Why is it important to SAVE and NOT WASTE water?
- How can we conserve water?

The level of knowledge spirals through the higher grades. All classrooms in grades K-4 are visited once a quarter. Each visit includes an informational text selection and a short S.T.E.M. focused activity.

Clarkdale/Jerome School has an approximate total of 230 students that will receive a conservation lesson four times a year. The Environmental Education Center has received a grant from APS, which paid for a 2-year supply of Kids Conserve Water Program booklets. Partial program funding in the amount of \$5,160 for the two-year K-4 program is being requested. A detailed budget is attached.

Water Stewardship Grades 5 - 8 Program promotes the development of critical-thinking and, through classroom projects and field trips, students will also learn about their own watersheds. Field trips include “Clarkdale specific” sites such as the Verde River, Big Springs and Clarkdale Wastewater Treatment Plant. Clarkdale/Jerome School has an approximate total of 240 students that will receive Water Stewardship programs. The Environmental Education Center has received grants from APS, SRP, and SRMG for partial expenses for the Water Stewardship Program. The remaining program funding in the amount of \$4,600.00 for the two-year Water Stewardship Program is being requested. A detailed budget is attached.

The Clarkdale Water Conservation Program fund that accumulates through water billing averages of \$487.00 per month or about \$5,844.00 annually currently has \$10,957.00 that could be used for these programs.

Erin Cody from the Kids Conserve program presented information and PowerPoint on this agenda item. She noted that over 7,000 kids are served in the Verde Valley by this program and every student from Clarkdale Jerome School K – 8 are included in this number. The total budget per year for the organization is about \$106,000. Contributors include Arizona State Land Dept., APS, SRP, Salt River Materials Group and Freeport Minerals. The City of Cottonwood contributes \$17,600 and the Town of Camp Verde provides \$3500. Clarkdale has about 7% of the student population. Councilmember Hunseder stated that the total comes out to about \$9.20 per child per year.

Action: Approve funding of the Kids Conserve Water K-4 Program and Water Stewardship 5-8 Program for 2 years in the amount of \$9,200.00 to come from the Clarkdale Water Conservation Fund, paid in two installments, one in 2019 and second in 2020.

Motion: Councilmember Regner

Second: Vice Mayor Dehnert

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

REPORT REGARDING THE 2019 LEAGUE OF ARIZONA CITIES AND TOWNS ANNUAL CONFERENCE – Discussion regarding information gathered at the 2019 League of Arizona annual conference.

Mayor Von Gausig, and Councilmembers Regner, Hunseder and Buckley attended the 2019 League of Arizona Cities and Towns Annual Conference. This is an informational discussion with the Council relating to the information they received and the sessions they attended during the conference.

Mayor: In addition to Resolutions Committee meeting reported on previously, attended two sessions on water – Drought Contingency Plan and Adjudication Program for Gila River Watershed. Also attended the Greater Arizona Mayors' meeting; Executive Committee meeting; appointed new League Executive Director, (Tom Belshe); Nominating Committee meeting.

Councilmember Regner: Attended Greater Arizona Broadband Upgrade session, Basics of Economic Development for Cities and Towns; Sound Management of Water Supplies; How Local Control Became Loco Control; transportation update. Stated that the networking that he does at the conference is important and creates good contacts.

Councilmember Buckley: Highlight was opening keynote speaker, John O'Leary; also attended Public Private Partnerships; Basics of Economic Development; Border Myths; How to Measure Economic Successes; Social Media Best Practices. Also stated that the networking opportunity was a highlight.

Councilmember Hunseder: Carried the Clarkdale flag; stated that John O'Leary was an inspiring speaker; attended Greater Arizona Broadband Upgrade; Basics of Economic Development for Cities and Towns; Elected Women Making a Difference; Reading the Tea Leaves; Social Media Best Practices; Recycling Today and in the Future; Showcase of Cities and Towns; networking breakfast; and closing general session called Incivility and Political Dysfunction – Learning to Engage our Differences Productively. Highlights were hearing from Governor and both State Senators; inspired by the Youth Programs from other municipalities.

Also met Stanley Gibson from Globe who spent 40 years on the Council and was Mayor for 10 years.

Town Manager Hlavinka: Attended Public Private Partnerships; 2019 legislative session; How Local Control Became Loco Control; stated it was a good opportunity to spend time with council outside of the everyday and network with others around the State. She noted that Arizona and Texas seem to have the same issues crop up in both places.

Action: This is discussion only, no action is required.

****Without objection, Mayor re-ordered agenda.****

VERDE RIVER INSTITUTE REPORT - An update from the Verde River Institute on projects and issues that relate to the Verde River @ Clarkdale.

The Verde River Institute (VRI) is a 501(c)(3) non-profit organization committed to developing and facilitating the implementation of policies that help to ensure that the Verde River in central Arizona retains flows that will support sustainable, healthy and diverse economies and ecosystems.

VRI also helps policy makers understand the many complex water resource issues in central Arizona. They are committed to finding sustainable solutions for the human and natural worlds that depend on the Verde River to supply their needs. They are guided by the principle that responses to demands in the system should also increase the river community's intellectual, political, social, individual, natural, built and financial capital. According to their website, when this goal is realized, the system becomes robust, dynamic and sustainable.

The Vision of the VRI is: Connecting people and resources to promote a healthy, flowing Verde River and a stronger, greater Verde community.

Their Mission: Provide research and data, funding, policy expertise, education and consulting on diverse Verde River issues.

Clarkdale Mayor Doug Von Gausig serves as the Executive Director of the Verde River Institute. Instead of reporting on Verde River Institute topics during his Mayor's report, staff has suggested having a separate agenda item so that the public is more aware that information relating to the Verde River Institute's work will be presented. Mayor Von Gausig will provide on-going updates and reports on Verde River Institute programs and projects that relate to the Verde River @ Clarkdale as part of this agenda item.

Mayor Von Gausig provided updates. Accompanying the Mayor and staff on this trip was Allen Haden from Natural Channel Designs, a group that conducts reclamation projects. He was invited to provide insight on what might be possible at the Brewers Tunnel diversion site. His contribution was that 'whatever we wanted to do at the Brewers Tunnel diversion site probably has to be done anyway if you have to remove the dam'.

The Mayor also reported that tamarisk beetles that feed on tamarisk trees are here and killing many of the trees that are not native. Showed photos about 1 ½ months apart depicting green trees to dying trees due to these beetles.

Pecks Lake: Freeport continued to put water into Pecks Lake but stopped. It is now down to about 6 ½ acres of water that was a 100 acre lake. Seems to have stabilized. If we did not feed it water from the river it would maintain itself as a wetland from springs that feed it. The VRI is keeping an eye on it.

Microbursts: A large sycamore tree was split in half and larger alder toppled in one place along the river. Down from Tapco there are 4 – 5 trees in one place that also fell.

Bitter Creek: Low e. coli season; the alluvial fan has changed and created a nice fast chute that is nice to kayak.

Action: This is a monthly, or as-needed, report and no Council action is required.

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED “CLARKDALE TOWN CODE” –
Discussion and possible action regarding Resolution #1609, a Resolution declaring the “Clarkdale Town Code” as a public record.

The Town of Clarkdale Town Code was originally adopted by ordinance in 1957. It was later adopted by reference in its entirety in both 1974 and 1986 with amendments occurring since that time. There has not been a formal recodification of the entire Code.

In Fiscal Year 2014-2015, the Council designated funds for recodification of the Town Code. Since that time, staff worked on modifications, corrections and updates to the Code and this year is the first time it will be submitted to a publisher for official recodification. The total cost of this process is \$9,410.00. The actual recodification service and legal review is \$7,400.00. The conversion of the Town Zoning Code and Town Code files was \$750.00 and the balance of \$1,260.00 is the annual web hosting fee.

In May of 2018, the Town signed an agreement with Code Publishing Company, a legal document publisher for local governments providing codification and publishing services in print and online media. Code Publishing has already provided the website platform for our Town Zoning Code as well as the version of the Town Code we submitted to them at the beginning of our contract.

Recodification is an overhaul of our existing Code. It is essentially a codification of the version of the Code that was originally given to them to publish. A codification is the editing, rearranging and/or grouping of ordinances under appropriate titles, parts, chapters and sections and includes:

- Organizing and editing ordinances to modernize and clarify language while preserving meaning.

- Dividing long single sections into two or more sections and rearranging order to ensure clarity and specificity.
- Eliminating obsolete provisions, conflicts, and inconsistencies to preserve legislative intent.
- Correct manifest errors in reference to other ordinances, laws, and statutes, as well as spelling, clerical or typographical errors, additions, and omissions.
- Changing the wording of or adding section captions to chapters and sections.
- Substituting specific language for the term “this ordinance” where necessary; for example, this “section,” “part,” “code,” “chapter,” “title,” or numbered section or chapter.

Following discussions with the Town Manager and Town Department Heads whose positions are relevant to specific sections of the Code, small corrections and rewording of portions of the Code were made. In addition, Code Publishing provides a legal review of our Code to ensure its consistency with Arizona law and practices.

The changes that are recommended and presented to you are minor but require Council approval in order to proceed with recodification. The Town Clerk has worked with the Town Manager, Department heads and Code Publishing to update, correct and refresh our Code. Section 2-5-9 of the Town Code states:

“A. The Town Attorney and Town Clerk are hereby each individually authorized to correct scrivener’s errors in the Town Code/Zoning Code and in ordinances and resolutions adopted by the Council without the need for re-adoption of the Town Code/Zoning Code provision, ordinance or resolution.

B. For purposes of this section, a scrivener’s error includes one or more of the following:

1. Misspelling;
2. Grammatical error;
3. Numbering error;
4. Cross-referencing error; or,
5. Inconsistency with the rules of style adopted for the reformatted Town Code/Zoning Code.”

The balance of modifications made to the Code were based on recommendations from the Department in charge of the execution of each specific Code section/chapter and are attachments to this staff report and described below.

Section 9-5-1 (HEALTH AND SANITATION)

“Rubbish” “premises”, “private ways”, and “weed” as defined in Section 9-4. “Premises” and “Rubbish” were not defined in that section as was indicated in the code. Paul Grasso provided the definitions from the International Code:

“Premises” means a lot, plot or parcel of land, easement or public way including any structures thereon.”

“Rubbish” means combustible and non-combustible waste material, except garbage, the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.”

Section 14-3-7 (TRAFFIC)

The location described in the code was confusing. Sergeant Troy Smith provided a clearer location:

“Any commercial vehicle with a nominal rated carrying capacity in excess of three-fourths of a ton shall unload in the alley way between Ninth Street and Tenth Street and Main Street and First South Street. No person shall unload such a vehicle in any other traffic controlled zone in the Town where ‘No Parking’ signs are posted.”

Section 19-2-1 (WATER UTILITY)

Utilities/Public Works Director Maher Hazine provided the correction and appropriate reference in this section:

“The Town of Clarkdale, Arizona is authorized to supply potable water in accordance with Title 18, Chapter 4 of the Arizona Administrative Code and other applicable Federal and State laws.

Once the Code has been “recodified” there is no waiting to make additional changes other than the statutory timelines we have followed in the past. Ordinances that change the Code are published and historical reference is added that shows the viewer when changes were made.

Town Clerk Mary Ellen Dunn presented information on this agenda item assisted by Sergeant Troy Smith regarding the “Traffic” section change.

Action: Approval of Resolution #1609, a Resolution of the Mayor and Common Council of the Town of Clarkdale, Arizona declaring as a public record that certain document entitled “Clarkdale Town Code” changing “shall” to “may” in Section 14-3-7.

Motion: Vice Mayor Dehnert

Second: Councilmember Hunseder

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, ADOPTING BY REFERENCE THE "CLARKDALE TOWN CODE" - Discussion and possible action regarding Ordinance #400, an ordinance declaring as a public record and adopting that certain document entitled "Clarkdale Town Code", repealing conflicting ordinances and providing for severability.

During the September 10, 2019 Council meeting the Council will first consider the approval of Resolution #1609 that details the minor changes made to the "Clarkdale Town Code". If the Council supports the approval of Resolution #1609, with the minor changes, and votes to make it a public record, then adoption of this proposed ordinance would be the final step in the process to formally adopt the newly recodified "Clarkdale Town Code". The Code would become effective October 10, 2019.

Action: Adopt Ordinance #400, an Ordinance of the Mayor and Common Council of the Town of Clarkdale, Arizona, declaring as a public record and adopting that certain document entitled "Clarkdale Town Code", repealing conflicting ordinances and providing for severability.

Motion: Councilmember Regner

Second: Vice Mayor Dehnert

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

FUTURE AGENDA ITEMS - Listing of items to be placed on a future council agenda.

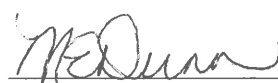
ADJOURNMENT - Without objection, Mayor Von Gausig adjourned the meeting at 8:00 p.m.

APPROVED:



Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:




Mary Ellen Dunn, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 10th day of September, 2019. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 22nd day of October, 2019.

SEAL



Mary Ellen Dunn, Town Clerk